

BILL NO. G-72-01-07

GENERAL ORDINANCE NO. G- Defeated

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a certain public street and alley in the Third Street area.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a public street and alley by DELAGRANGE HOMES, INC. and JOHN F. HEINKELL and DIANE HEINKELL, husband and wife, having been filed with the Fort Wayne City Plan Commission, and resolution having been duly adopted by the Fort Wayne City Plan Commission on December 20, 1971 following a public hearing thereon, all in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (Burns' Ind. Stat., 1964 Replacement, Sec. 53-744), the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following public alley in Fort Wayne, Allen County, Indiana, to-wit:

The alley running in a northerly direction from the North edge of Third Street to the South edge of the alley running East and West between Third and Fourth Streets, said alley being bounded on the West by Lot No. 22 in K.J. Bauers Subdivision of Rockhill Heirs Outlot No. 8, an addition to the City of Fort Wayne, Indiana, and bounded on the East by Lot No. 25 of Schilling Heirs Addition to the City of Fort Wayne

SECTION 2. After passage of this Ordinance, approval by the Mayor, and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Eugene Krantz  
Councilman

APPROVED AS TO FORM  
AND LEGALITY

Mark B. Cole  
CITY ATTORNEY

Read the first time in full and on motion by Kraus seconded by Hinga and duly adopted, read the second time by title and referred to the Committee on Regulations (and to the City Plan Commission for recommendation) (and Public Hearing to be held after due legal notice, at the Council Chambers, City County Building, Fort Wayne, Indiana, on the \_\_\_\_\_ day of \_\_\_\_\_ 197\_\_\_\_, at \_\_\_\_\_ o'clock ~~P.M.~~, E.S.T.

Date: 1-25-72

Charles W. Wisterman  
CITY CLERK

Read the third time in full and on motion by Kraus seconded by Hinga and duly adopted, placed on its passage.

~~Passed~~ (LOST) by the following vote:

AYES 1, NAYS 8, ABSTAINED \_\_\_\_\_, ABSENT \_\_\_\_\_ to-wit:

Burns	_____	<input checked="" type="checkbox"/>	_____	_____
Hinga	_____	<input checked="" type="checkbox"/>	_____	_____
Kruse	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	_____	_____
Nuckols	_____	<input checked="" type="checkbox"/>	_____	_____
Moses	_____	<input checked="" type="checkbox"/>	_____	_____
Schmidt, D.	_____	<input checked="" type="checkbox"/>	_____	_____
Schmidt, V.	_____	<input checked="" type="checkbox"/>	_____	_____
Steir	_____	<input checked="" type="checkbox"/>	_____	_____
Talarico	_____	<input checked="" type="checkbox"/>	_____	_____

Date 2-8-72 4-11-72

Charles W. Wisterman  
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No. 3-Defunct on the 8<sup>th</sup> day of February, 1972.

ATTEST:

(SEAL)

Charles W. Wisterman  
CITY CLERK

John Nuckols  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9<sup>th</sup> day of February, 1972 at the hour of 5:30 o'clock A.M., E.S.T.

Charles W. Wisterman  
CITY CLERK

Approved and signed by me this \_\_\_\_\_ day of \_\_\_\_\_, 197\_\_\_\_, at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ .M., E.S.T.

\_\_\_\_\_  
MAYOR

Hold 2/8/72  
hold 2/22/72  
To B. & W.  
hold 2/14/72  
hold 3/28/72  
Bill No. G-72-01-07

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance  
amending General Ordinance No. G-97 by authorizing the vacation of a certain  
public street and alley in the Third Street area.

have had said Ordinance under consideration and beg leave to report back to the Common  
Council that said Ordinance Do Not PASS.

EUGENE KRAUS, JR., Chairman

JAMES S. STIER, Vice-Chairman

WILLIAM T. HINGA

PAUL M. BURNS

VIVIAN G. SCHMIDT

James S. Stier  
William T. Hinga  
Paul M. Burns  
Vivian G. Schmidt

CONCURRED IN  
DATE 4-11-72 CHARLES W. WESTERMAN CITY CLERK

## RESOLUTION

WHEREAS, Boseker Machine Works, Inc., 606 West Superior Street (owner) by P. F. Jacobs, President and P. F. Jacobs, 3540 Saginaw Drive, owner of parking lot at 610 West Superior Street, have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public street and alley in Allen County, Indiana, to-wit:

The first alley north of Superior Street from a point 185 feet east of the east property line of Ross Street to its eastern terminus at the St. Mary's River.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947 of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Ind. Ann. Stat. § 53-744 (Burns 1964 Repl. Ed.); and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on December 20th, 1971 at 4:00 o'clock p.m., and at such hearing there were no objections of any kind or character which would prevent the vacation of said public alley;

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public alley hereinbefore described conforms to the general policy and pattern of development set out in the master plan of the City of Fort Wayne, Indiana; and,

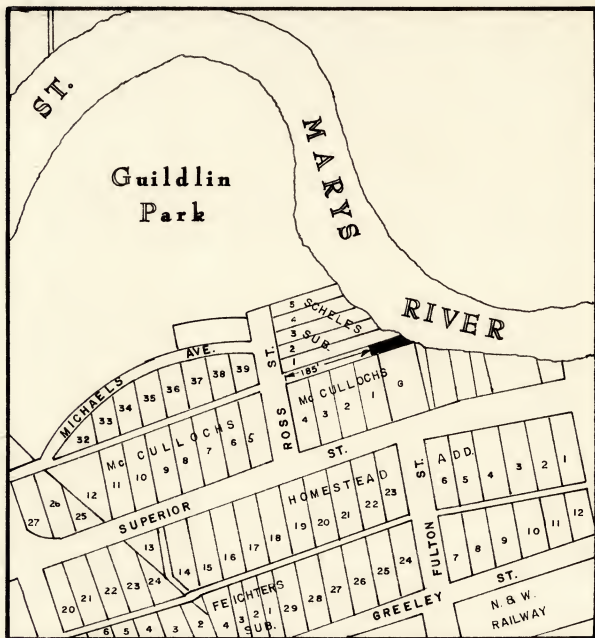
BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public alley hereinbefore described be and the same is hereby approved; and,

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of streets and alleys in Allen County, Indiana.

STATE OF INDIANA            )  
                                      ) SS:  
COUNTY OF ALLEN         )

I, Arthur C. Richard, President of the Fort Wayne City Plan Commission, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held on December 20th, 1971, and as the same appears of record in the official records of said Plan Commission. Dated the 20th DAY OF December, 19 71.

Arthur C. Richard  
Fort Wayne City Plan Commission, President



■ PORTION OF ALLEY TO BE VACATED

